

FACT SHEET

REVISED EXCEPTIONAL EVENT DATA FLAGGING SUBMITTAL AND DOCUMENTATION SCHEDULE FINAL RULE

ACTION

- On January 16, 2009, the Environmental Protection Agency (EPA) amended the March 2007 Exceptional Events Rule to include specific dates by which states must submit to EPA exceptional event claims that may affect the status of an area under the ozone standards revised in March 2008.
- Exceptional events are events that can affect air quality, are not reasonably controllable or preventable using techniques that tribal, state or local air agencies may implement in order to attain and maintain the National Ambient Air Quality Standards, and are either human caused events that are unlikely to recur in a particular location or naturally occurring events.
- The purpose of this rule is to provide states with as much lead time as practical to identify and submit supporting documentation for exceptional events that may affect ozone designations.
- The rule amends the existing Exceptional Events rule by providing a revised schedule. The new schedule provides that air quality data affected by exceptional events for years 2005-2007 must be flagged in EPA's Air Quality Subsystem Database (AQS) database, including detailed supporting documentation, no later than March 12, 2009.
- Also, if a state intends for 2008 exceptional event data to be considered in ozone designations, 2008 data must be flagged and detailed event documentation submitted not later than March 12, 2009. If a state intends 2009 data to be considered in ozone designation, 2009 data must be flagged and detailed event documentation submitted 60 days after the end of the calendar quarter in which the event occurred or by February 5, 2010, whichever date occurs first.

BACKGROUND

- The Exceptional Events Rule (Treatment of Data Influenced by Exceptional Events, March 22, 2007) provides a general schedule for flagging monitored data in the AQS database affected by exceptional events and submitting final documentation to support the claim.

- The Agency is authorized to revise the schedules by both the CAA section 319(b)(2) and the authority reserved in the Exceptional Events rule.
- EPA revised the ozone standard on March 12, 2008. The new standard of 0.075 ppm replaces the prior standard of 0.08. The Clean Air Act requires EPA to designate areas as attainment (meeting the standards), nonattainment (not meeting the standards), or unclassifiable (insufficient data to classify) after the Agency sets a new standard, or revises an existing standard. States must make recommendations to EPA no later than March 2009 for areas to be designated attainment, nonattainment and unclassifiable. EPA will issue final designations of attainment, nonattainment and unclassifiable areas no later than March 2010 unless there is insufficient information to make these designation decisions. In that case, EPA will issue designations no later than March 2011.

FOR MORE INFORMATION

- To download a copy of the notice, go to EPA's Website at:
<http://www.epa.gov/air/ozonepollution/actions.html>
- Today's final rule and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
- The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
- Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
- Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2005-0159.
- For more information, call Thomas E. Link at EPA's Office of Air Quality Planning and Standards, (919) 541-5456 or send an email to link.tom@epa.gov.